1 2 3 4 5 6 7 8	MELINDA HAAG (CABN 132612) United States Attorney  MIRANDA KANE (CABN 150630) Chief, Criminal Division  KEVIN J. BARRY (CABN 229748) Assistant United States Attorney 450 Golden Gate Avenue, Box 36055 San Francisco, California 94102 Telephone: (415) 436-7200 Facsimile: (415) 436-7234 Email: kevin.barry@usdoj.gov  Attorneys for the United States of America		
10	UNITED STATES DISTRICT COURT		
11	NORTHERN DISTRICT OF CALIFORNIA		
12	SAN FRANCISCO DIVISION		
13			
14	UNITED STATES OF AMERICA, ) No. CR 12-0061 EMC		
15	Plaintiff,		
16	) STIPULATION AND [PROPOSED] v. ) ORDER CHANGING HEARING DATE ) AND EXCLUDING TIME		
17	FRED LAMAR FINNEY, JOHN KELLER, )		
18	CHARLES MENIFEE, JOHN WAYNE PRICE, and		
19	PRINCE LEE PRINCE,		
20	Defendants.		
21			
22	The Court has set May 15, 2013 as the date for a status conference. The parties hereby		
23	request that the Court set the next status conference for June 26, 2013, and they request that the		
24	Court exclude the period from the date of this Order through June 26, 2013 from the time limits		
25	provided by 18 U.S.C. § 3161. This extension of time is necessary for effective preparation of		
26	counsel, to finalize discovery and plea offers.		
27			
28			
	STIPULATION AND [PROPOSED] ORDER CHANGING HEARING DATE AND EXCLUDING TIME CR 12-0061 FMC		

1	The parties agree that the ends of justice served by granting such an exclusion of time		
2	outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. §		
3	3161(h)(7)(A).		
4			
5	SO STIPULATED:		
6		MELINDA HAAG United States Attorney	
7	D. (TDD ) ( 15 0010		
8	DATED: May 15, 2013	KEVIN J. BARRY	
9		Assistant United States Attorney	
10	DATED: May 14, 2013	/s/ ERIK BABCOCK Attorney for FRED LAMAR FINNEY	
11	DATED: May 14, 2013		
12	,	ALAN DRESSLER Attorney for JOHN KELLER	
13	DATED: May 14, 2013	/s/	
14		ROGER PATTON Attorney for CHARLES MENIFEE	
15	DATED: May 14, 2013	/s/ FRANK BELL	
16		Attorney for JOHN WAYNE PRICE	
17	DATED: May 14, 2013	/s/ GAIL SCHIFFMAN	
18		Attorney for PRINCE LEE PRINCE	
19 20	A TTECT A TION OF FILED		
21	ATTESTATION OF FILER		
22	In addition to myself, the signatories to this document are: Erik Babcock, Alan Dressler,		
23	Roger Patton, Frank Bell, and Gail Schiffman. I attest that I have their permission to make the request outlined above.		
24 25	DATED: May 15, 2013	/s/ KEVIN J. BARRY Assistant United States Attorney	
26			
27			
28			
-			

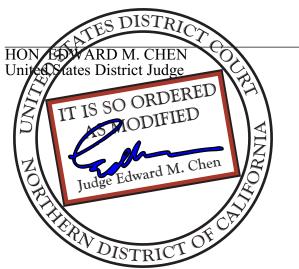
## [PROPOSED] ORDER

For the reasons stated above, the Court sets June 26, 2013, as the date for a further status confernece. The Court finds that exclusion of the period from the date of this Order through June 26, 2013 from the time limits applicable under 18 U.S.C. § 3161 is warranted; that the ends of justice served by the continuance outweigh the interests of the public and the defendant in the prompt disposition of this criminal case; and that the failure to grant the requested exclusion of time would deny counsel for the defendant and for the government the reasonable time necessary for effective preparation and continuity of counsel, taking into account the exercise of due diligence, and would result in a miscarriage of justice. 18 U.S.C. §3161(h)(7)(B)(iv).

IT IS SO ORDERED. Defendant Elliot's status remains to be held on 5/15/13 at 2:30 p.m.

DATED: 5/15/13

CR 12-0061 EMC



STIPULATION AND [PROPOSED] ORDER CHANGING HEARING DATE AND EXCLUDING TIME